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FREI P-045
PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Fischer
Serial No.: 09/614305
Filed: 07/12/2000
For: Server Monitoring

SUBMISSION OF SMALL ENTITY STATEMENT AND REQUEST FOR REFUND

Hon. Commissioner of Patents and Trademarks
Washington, D.C. 20231

Sir:

Applicant hereby submits a small entity statement for the above-captioned application. Applicant previously paid \$690.00 in payment of the filing fee. Applicant hereby requests a refund of \$345.00. Please credit the refund to Deposit Account 15-0610.

Respectfully Submitted,

Carl Oppedahl
PTO Reg. No. 32,746
Attorney for Applicants
(970) 468-6600

Adjustment date: 10/31/2000 NVILLARI
07/24/2000 SCARMICH 00000063 09614305
01 FC:101 -690.00 OP

10/31/2000 NVILLARI 00000015 09614305
01 FC:201 345.00 OP

I hereby certify that this paper and the attachments named herein are being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner of Patents and Trademarks, Washington, D.C. 20231 on September 12, 2000.

September 12, 1000

Date of Signature

Pam Scott

Repln. Ref: 10/31/2000 NVILLARI 0010400700
DA#:150610 Name/Number:09614305
FC: 704 \$345.00 CR

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Under the Patent and Trademark Act of 1980, no person is required to respond to a notice of information unless it displays a valid OMP serial number.

STATEMENT CLAIMING SMALL ENTITY STATUS
(37 CFR 1.01(f) & 1.27(c))—SMALL BUSINESS CONCERN

Document Number (Optional)
FRI-P-043

Applicant, Patentee, or Identifier: SysControl AG
 Application or Patent No.: 08/614305
 Filed or Invented: July 12, 2000
 Title: Server Monitoring

I hereby state that I am
☒ the owner of the small business concern identified below
☐ an official of the small business concern empowered to act on behalf of the concern identified below

NAME OF SMALL BUSINESS CONCERN SysControl AG

ADDRESS OF SMALL BUSINESS CONCERN Badenerstrasse 281
CH-8003 Zurich, Switzerland

I hereby state that the above identified small business concern qualifies as a small business concern as defined in 13 CFR Part 121 for purposes of paying reduced fees to the United States Patent and Trademark Office. Questions related to size standards for a small business concern may be directed to: Small Business Administration, Size Standards Staff, 409 Third Street, SW, Washington, DC 20418.

I hereby state that rights under contract at law have been conveyed to and remain with the small business concern identified above with regard to the invention described in:

☒ the specification filed herewith with title as listed above.
☐ the application identified above.
☐ the patent identified above.

If the rights held by the above identified small business concern are not exclusive, each individual concern, or organization having rights in the invention must file separate statements as to their status as small entities, and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.01(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.01(d), or a nonprofit organization under 37 CFR 1.01(e).

Each person, concern, or organization having any rights in the invention is listed below:
☒ no such person, concern, or organization exists.
☐ each such person, concern, or organization is listed below.

Separate statements are required from each named person, concern or organization having rights in the invention stating their status as small entities. (37 CFR 1.27)

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

NAME OF PERSON SIGNING Simon Poole

TITLE OF PERSON IF OTHER THAN OWNER Managing Director

ADDRESS OF PERSON SIGNING Badenerstrasse 281, 8003 Zurich

SIGNATURE

DATE 12. Sep. 2000

Small Entity Statement: This form is intended to take 1-2 hours to complete. Time will vary depending upon the results of the individual case. All questions on the amount of time you are required to complete this form should be sent to the Small Entity Statement Office, Patent and Trademark Office, Washington, DC 20501. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20501.

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